

## **AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application.

### **Listing Of Claims:**

1. (Currently Amended) An orthopedic implant configured to be implanted into a space between a first vertebra and a second vertebra, comprising:

a foraminous, corrugated biocompatible material formed into a sleeve;

wherein the implant is provided with a first end, a second end and a length dimension extending therebetween;

wherein the first end and the second end are open;

wherein the first open end is adapted to contact the first one of the vertebrae;

wherein the second open end is adapted to contact the second one of the vertebrae;

wherein the implant bears a load between the first one of the vertebrae and the second one of the vertebrae; and

wherein the biocompatible material from which the sleeve is formed has a thickness dimension in the size range of about 0.5 mm to about 3.0 mm.

2. (Cancelled)

3. (Original) The orthopedic implant of claim 1 wherein the implant is provided with a plurality of lobes and depressions.

4. (Original) The orthopedic implant of claim 1 wherein the biocompatible material is titanium.

5. (Cancelled)

6. (Original) The orthopedic implant of claim 1 wherein the implant is provided with four

lobes and four depressions.

7. (Original) The orthopedic implant of claim 1 wherein the implant is provided with six lobes and six depressions.

8. (Original) The orthopedic implant of claim 1 wherein the implant is constructed from a foraminous corrugated loop.

9. (Original) The orthopedic implant of claim 1 wherein the implant is constructed from a foraminous corrugated sheet.

10. (Original) The orthopedic implant of claim 1 wherein the implant is comprised of an intersecting network of landed regions that define a plurality of openings in the network, wherein the openings are dispersed among the landed regions.

11. (Original) The orthopedic implant of claim 1 wherein the implant has a substantially circular shape.

12. (Original) The orthopedic implant of claim 1 wherein the implant has a substantially elliptical shape.

13. (Original) The orthopedic implant of claim 1, wherein the implant surrounds a material selected from the group consisting of bone graft material and a bone growth promoting material and mixtures thereof.

14. (Currently Amended) The orthopedic implant of claim 1, wherein the sleeve includes a plurality of openings and the implant further comprising comprises a cerclage passing through the openings and being secured around the sleeve.

15. (Cancelled)

16. (Original) The orthopedic implant of claim 1, wherein the sleeve is an inner sleeve and the implant further comprises an outer sleeve adapted to surround the inner sleeve.

17. (Currently Amended) A method of providing an orthopedic implant, comprising:  
providing a sheet formed from a biocompatible material, which sheet is suitable for construction into a sleeve;

selecting, as a design, the shape, size and position of openings and corrugations to be made in the sheet;

selecting a biocompatible material;

forming the sheet according to the design; and

enclosing the sheet to form the implant;

wherein the biocompatible material is titanium.

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18. (Original) The method of claim 17, further comprising:

encircling an area of a bone with a formed sheet to form a sleeve having openings and corrugations; and

securing the sheet around the bone.

19. (Currently Amended) Method The method of claim 18, wherein the step of securing the sheet around the bone further comprises threading a cerclage having at least first and second ends through the perforations openings and corrugations and affixing the first and second ends of the cerclage.

20-22. (Cancelled)

23. (Currently Amended) The method orthopedic implant of claim 22 1, wherein bone is placed in the implant prior to implanting.

24. (Currently Amended) A method of providing an orthopedic implant, comprising:

Providing providing a loop formed from a biocompatible material, which loop is suitable for construction into a sleeve;

Selecting selecting, as a design, the shape, size and position of openings and corrugations to be made in the sheet loop;

Selecting a biocompatible material; and

forming the implant according to the design;

wherein the biocompatible material is titanium.

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25. (New) An orthopedic implant configured to be implanted into a space between a first vertebra and a second vertebra, comprising:

a foraminous, corrugated biocompatible material formed into a sleeve;

wherein the implant is provided with a first end, a second end and a length dimension extending therebetween:

wherein the first end and the second end are open;

wherein the first open end is adapted to contact the first one of the vertebrae;

wherein the second open end is adapted to contact the second one of the vertebrae;

wherein the implant bears a load between the first one of the vertebrae and the second one of the vertebrae;

wherein the implant has corrugations extending radially outward around an axis extending from the first one of the vertebrae to the second one of the vertebrae; and

wherein the biocompatible material is titanium.

26. (New) The orthopedic implant of claim 25, wherein the implant is provided with a plurality of lobes and depressions.

27. (New) The orthopedic implant of claim 25, wherein the biocompatible material from which the sleeve is formed has a thickness dimension in the size range of about 0.5 mm to about 3.0 mm.

28. (New) The orthopedic implant of claim 25, wherein the implant is provided with four

lobes and four depressions.

29. (New) The orthopedic implant of claim 25, wherein the implant is provided with six lobes and six depressions.

30. (New) The orthopedic implant of claim 25, wherein the implant is constructed from a foraminous corrugated loop.

31. (New) The orthopedic implant of claim 25, wherein the implant is constructed from a foraminous corrugated sheet.

*a* 32. (New) The orthopedic implant of claim 25, wherein the implant is comprised of an intersecting network of landed regions that define a plurality of openings in the network, wherein the openings are dispersed among the landed regions.

33. (New) The orthopedic implant of claim 25, wherein the implant has a substantially circular shape.

34. (New) The orthopedic implant of claim 25, wherein the implant has a substantially elliptical shape.

35. (New) The orthopedic implant of claim 25, wherein the implant surrounds a material selected from the group consisting of bone graft material and a bone growth promoting material and mixtures thereof.

36. (New) The orthopedic implant of claim 25, wherein the sleeve includes a plurality of openings and the implant further comprises a cerclage passing through the openings and being secured around the sleeve.

37. (New) The orthopedic implant of claim 25, wherein the sleeve is an inner sleeve and

the implant further comprises an outer sleeve adapted to surround the inner sleeve.

38. (New) The orthopedic implant of claim 25, wherein bone is placed in the implant prior to implanting.

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